Case	1.21-60-	23103-BE	Documen	II 149-Z	Entereu	JII FLSD	Docket 01/30/20/	23 Page 1 01 19
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EXHIBIT B								

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

Case No. 1:21-cv-23103-BLOOM/Otazo-Reyez

CASA EXPRESS CORP, as Trustee of CASA EXPRESS TRUST,

Judgment Creditor,

v.

BOLIVARIAN REPUBLIC OF VENEZUELA,

Judgment I	Debtor.
------------	---------

DECLARATION OF LUIS E. GAMARDO MEDINA

I, Luis E. Gamardo Medina., pursuant to 28 U.S.C. § 1746 hereby declare as follows:

- 1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. The facts set out in this Declaration is based on my personal knowledge.
- 2. I am the president and director of Casa Express Corp ("Casa Express"), a corporation organized and existing under the laws of the State of Florida, with its principal place of business at 60 Edgewater Drive, Coral Gables, Florida, 33133.
- 3. Casa Express is the sole trustee of Casa Express Trust, an express trust established under the laws of the State of Florida.
- 4. On March 8, 2021, Casa Express submitted a proposal to the former Special Attorney General of Venezuela, Enrique J. Sanchez Falcon, pursuant to a Venezuelan law ("VZ Law") that established a mechanism for creditors to sue holders of Venezuelan assets obtained by acts of corruption. *See* VZ Law, as published in the Official Legislative Gazette of the Republic No. 57 attached as **Exhibit 1**.
- 5. The proposal explained that Casa Express sought to execute certain Venezuelan properties being held by entities linked to Raul Gorrin Belisario ("Gorrin"). The proposal listed all of the properties that are the subject of this proceeding.
- 6. In the proposal, Casa Express waived any collection efforts against other public assets of Venezuela (at least until conclusion of this proceeding) in exchange for a letter of no

objection addressed to the U.S. Department of Treasury's Office of Foreign Asset Control ("OFAC").

- 7. On March 17, 2022, the Special Attorney accepted Casa Express's proposal providing that the litigation must be executed "in full compliance" with the VZ Law. See Letter from Special Attorney General, Enrique J. Sanchez Falcon, accepting Casa Express's proposal attached hereto as **Exhibit 2**. He also issued a letter of no objection addressed to OFAC. A true and correct copy of the Letter is attached hereto as **Exhibit 3**.
- 8. In the VZ Law, Venezuela guarantees that the assets recovered in the litigation "will be imputed to the cancellation of the claim against [Venezuela], up to the occurrence of the amounts owed by it." Ex. A. at 3. It also provides that Venezuela shall be entitled to "any surplus" from the creditor's collection efforts. *Id*.

I declare under penalty of perjury that the foregoing is true and correct.

Luis E. Gamardo Medina

EXHIBIT 1





OFFICE OF THE SPECIAL ATTORNEY

Bolivarian Republic of Venezuela

BOLIVARIAN REPUBLIC OF VENEZUELA, OFFICE OF THE SPECIAL ATTORNEY OF THE REPUBLIC PER-P-372, FEBRUARY 21st, 2022

> Enrique J. Sanchez Falcon Special Attorney of the Republic

In exercise of the powers established in Article 17.1 of the Law of the Statute that Governs the Transition to Democracy to Re-establish the Validity of the Constitution of the Bolivarian Republic of Venezuela and having heard the opinion of the National Council for Judicial Defense.

WHEREAS,

That the Statute that Governs the Transition to Democracy to Reestablish the Validity of the Constitution of the Bolivarian Republic of Venezuela puts in charge of the interim government the actions intended to protect or recover the assets of the Republic abroad, and to this effect the powers of the interim Executive Office must be exercised by the Special Attorney of the Republic, a body created in the aforementioned Statute.

WHEREAS,

That the Office of the Special Prosecutor has received a proposal for a mechanism to recover assets of the Republic, which consists of creditors of the Republic or its decentralized entities that have obtained final judgments in which their credits are stated, they offer themselves to sue, at their own risk, the holders of Venezuelan assets obtained through acts of corruption and that the assets thus recovered serve to repay the debts owed by the Republic and its decentralized entities with the aforementioned creditors, up to the concurrence of the amounts owed.

WHEREAS,

That the proposed mechanism presents clear benefits for Venezuela in terms of reducing the amount of their debts and will contribute to reducing the scope of impunity in crimes against public property, with no need to make outlays to hire law firms, so it must be applied in all cases of creditors who show an interest in availing themselves of this procedure and who meet the requirements established for that purpose,

Pronounce the following





OFFICE OF THE SPECIAL ATTORNEY
Bolivarian Republic of Venezuela

GUIDELINES FOR PROCESSING PROPOSALS FROM CREDITORS OF THE VENEZUELAN PUBLIC SECTOR TO SUE HOLDERS OF ASSETS OBTAINED BY ACTS OF CORRUPTION

Article 1. - The creditors of the Republic and of the decentralized entities, interested in executing their beliefs on assets originating from corruption and in availing themselves of the procedure referred to in these guidelines, will address to the Special Attorney General of the Republic to submit their proposal, accompanying the necessary information on the procedure, among them the indication of the final judgments demonstrating their credit, the identification of the holders of public assets obtained by acts of corruption and the assets on which their performance will be directed.

SOLE PARAGRAPH: In cases of claims against decentralized entities of the Republic, the proposal referred to in this article must be addressed to the Special Attorney General of the Republic through the corresponding decentralized entity.

Article 2. - In the proposal referred to in the previous article, the interested party will express his/her decision to waive the right to exercise acts against the Venezuelan public entities to execute the final judgement or judgements obtained, at least until the conclusion of the procedures that have already been initiated against the holders of assets originated from corruption.

Article 3. - The Special Attorney General of the Republic, once the records of the case have been examined and the additional information required from the proponent obtained and verified, will issue a decision and communicate it to the interested party.

If the decision is favorable and the proponent so requests, the Special Attorney may address a communication to the Office of Foreign Assets Control (OFAC), a division of the United States Department of the Treasury, in which he/she will express that he/she has no objection to the license request made by the interested party.

Article 4. - If the Special Attorney General receives at any time information about the lack of veracity of the statements or receipts submitted by the proponent, or that evidence the connection between the proponent and the usurper regime of Venezuela, or any dishonest conduct of that person, may revoke or null the previously issued favorable decision.





OFFICE OF THE SPECIAL ATTORNEY
Bolivarian Republic of Venezuela

Article 5. - The assets that the proposing person manages to recover will be imputed to the cancellation of the claim against the debtor public entity, up to the concurrence of the amounts owed by it, and in the event of any surplus, it will be delivered to the corresponding public entity.

Issued in Bogota, Republic of Colombia, on the twenty-first (21) day of February, two thousand and twenty-two.

Enrique J. Sanchez Falcon.

(2)

Digitally signed by

ENRIQUE JOSE

SANCHEZ FALCON

Date: 2022.02.21

11:48:24 - 0500

Special Attorney of the Bolivarian Republic of Venezuela

3



The Spanish Group LLC
1 Park Plaza, Suite 600
Irvine, CA 92614
United States of America
https://www.thespanishgroup.org

Certified Translation

Furnished on the 21st day of March, 2022

I, Alexander Largaespada (Merangues), hereby certify that I translated the attached documents from Spanish into English or English into Spanish and that these translations are accurate and faithful translations of the original documents. Furthermore, I certify that I am proficient in translating both Spanish and English and that I hold the capacity to render and certify the validity of such translations. These documents have not been translated for a family member, friend, or business associate.

I, Salvador G. Ordorica, as a Quality Assurance Agent of The Spanish Group LLC, hereby attest that the aforementioned translator is a proficient Spanish-English translator. Accordingly, as an authorized representative of The Spanish Group, I certify that these documents have been proofread and that the attached documents are faithful and authentic translations of their originals.

Respectfully,

Salvador G. Ordorica

The Spanish Group LLC

(ATA #267262)



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REPÚBLICA BOLIVARIANA DE VENEZUELA, PROCURADURÍA ESPECIAL DE LA REPÚBLICA PER-P-372, 21 DE FEBRERO DE 2022

Enrique J. Sánchez Falcón Procurador Especial de la República

En ejercicio de las potestades establecidas en el artículo 17.1 de la Ley del Estatuto que Rige la Transición a la Democracia para Restablecer la Vigencia de la Constitución de la República Bolivariana de Venezuela y oída la opinión del Consejo Nacional de Defensa Judicial,

CONSIDERANDO,

Que el Estatuto que Rige la Transición a la Democracia para Restablecer la Vigencia de la Constitución de la República Bolivariana de Venezuela pone a cargo del gobierno interino las acciones destinadas a proteger o recuperar los activos de la República en el extranjero, y en tal sentido las competencias del Poder Ejecutivo interino deben ser ejercidas por la Procuraduría Especial de la República, órgano creado en el mencionado Estatuto.

CONSIDERANDO,

Que en la Procuraduría Especial se ha recibido la propuesta de un mecanismo para recuperar activos de la República, que consiste en que acreedores de la República o de sus entes descentralizados que han obtenido sentencias definitivamente firmes en las que constan sus acreencias, se ofrecen para demandar, a su riesgo, a poseedores de activos del sector público venezolano que los han obtenido mediante actos de corrupción y que los activos así recuperados sirvan para amortizar las deudas que tiene la República y sus entes descentralizados con los referidos acreedores, hasta concurrencia de las sumas adeudadas.

CONSIDERANDO,

Que el mecanismo propuesto presenta indudables beneficios para Venezuela en cuanto a disminuir el monto de sus deudas y a contribuir a reducir el ámbito de la impunidad en los delitos contra el patrimonio público, sin necesidad de efectuar desembolsos por concepto de contratación de firmas de abogados, por lo que debe ser aplicado en todos los casos de acreedores que muestren interés en acogerse a ese procedimiento y que reúnan los requisitos establecidos al efecto,

Dicta las siguientes





PAUTAS PARA PROCESAR LAS PROPUESTAS DE ACREEDORES DEL SECTOR PÚBLICO VENEZOLANO PARA DEMANDAR A POSEEDORES DE ACTIVOS OBTENIDOS POR ACTOS DE CORRUPCIÓN

Artículo 1.- Los acreedores de la República y de los entes descentralizados, interesados en ejecutar sus acreencias sobre bienes provenientes de la corrupción y en acogerse al procedimiento a que se refieren estas pautas se dirigirán al Procurador Especial de la República para plantearle su propuesta, acompañando las informaciones necesarias sobre el trámite, entre ellas la indicación de las sentencias firmes demostrativas de su acreencia, la identificación de los poseedores de bienes públicos obtenidos por actos de corrupción y los bienes sobre los cuales se dirigirá su

PARÁGRAFO ÚNICO: En los casos de acreencias contra entes descentralizados de la República la propuesta a que se refiere este artículo deberá dirigirse al Procurador Especial de la República por medio del ente descentralizado correspondiente.

Artículo 2.- En la propuesta a que se refiere el artículo anterior, el interesado expresará su decisión de renunciar a ejercer actos contra los entes públicos venezolanos para ejecutar la o las sentencias firmes que ha obtenido, al menos hasta que concluyan los procedimientos que se hayan incoado contra los poseedores de bienes originados por la corrupción.

Artículo 3.- El Procurador Especial de la República, una vez examinados los recaudos del caso y obtenidas y verificadas las informaciones adicionales que requiera del proponente, emitirá su decisión y se la comunicará al interesado.

Si la decisión fuera favorable y así lo solicitare el proponente, el Procurador Especial podrá dirigir una comunicación a la Oficina de Administración de Activos en el Exterior (OFAC), dependiente del Departamento del Tesoro de los Estados Unidos de América, en la cual le expresará que no tiene objeción a la solicitud de licencia que le haga el interesado.

Artículo 4.- Si el Procurador Especial recibe en cualquier momento informaciones sobre la falta de veracidad de las afirmaciones o de los recaudos que le ha presentado el proponente, o que evidencien la vinculación de éste con el régimen usurpador de Venezuela, o alguna conducta deshonesta de esa persona, podrá revocar o dejar sin efecto la decisión favorable previamente emitida.





Artículo 5.- Los activos que logre recuperar la persona proponente serán imputados a la cancelación de la acreencia contra el ente público deudor, hasta concurrencia de las sumas adeudadas por este, y si existe alguna suma sobrante será entregada al ente público correspondiente.

Dado en Bogotá, República de Colombia, a los veintiún (21) días del mes de febrero de dos mil veintidós.

Enrique J. Sánchez Falcón.

Firmado digitalmente por ENRIQUE JOSE SANCHEZ FALCON Fecha: 2022.02.21 11:48:24 -05'00'

Procurador Especial de la República Bolivariana de Venezuela

EXHIBIT 2



[Coat of Arms) Office of the Special Prosecutor Bolivarian Republic of Venezuela]

Bogota, D.C., March 17th, 2022.

PER-P-389

Citizen Luis Gamardo Medina Representative of Casa Express Corp. Via e-mail

I am writing to you, in my capacity as Special Attorney General of the Bolivarian Republic of Venezuela, in response to your communication dated March 2, 2022, in which you request a Letter of No Objection for Casa Express's application for License pending with the Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury, case number VENEZUELA-EO13850-2021-874564-1.

To that effect, the Office of the Special Attorney General of the Republic, under my direction, has examined your petition with the corresponding filings in which you state that you have registered the judgment from the Court of the Southern District Court of New York and have filed a motion in the Court of the Southern District Court of Florida to commence a supplementary proceeding seeking to execute real properties held in the name of corporations owned of controlled by Raul Gorrin Belisario for satisfaction with funds that according to OFAC and the U.S. Attorney's Office of South Florida he obtained through bribery and corruption. Likewise, you state that this procedure will be executed in full compliance with the GUIDELINES FOR PROCESSING THE PROPOSALS OF CREDITORS OF THE VENEZUELAN PUBLIC SECTOR TO SUE HOLDERS OF ASSETS OBTAINED BY ACTS OF CORRUPTION, issued by the Special Attorney General's Office and published in the Legislative Gazette No. 57, dated February 22, 2022, and indicate that "we will not act against other assets of Venezuelan public entities to enforce the judgment obtained by Casa Express in the Southern District Court of New York ordering the payment of \$43.3 million to the Bolivarian Republic of Venezuela for the non-payment of two (2) sovereign bonds". Likewise, in a subsequent act, you undertook the commitment to communicate this obligation to the Court of the Southern District of Florida in which the motion to commence the supplementary execution procedure is pending.

In response to your request, this Special Attorney General expresses our willingness to grant the requested Letter of No Objection to be addressed to OFAC, under the terms of your request, which is attached hereto.

Sincerely,

[Signature] Digitally signed by **ENRIQUE JOSE SANCHEZ** FALCON Date: 03/07/2022

21:11:27 +01'00'

Enrique J. Sanchez Falcon Special Attorney General of the Bolivarian Republic of Venezuela



The Spanish Group LLC
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Irvine, CA 92614
United States of America
https://www.thespanishgroup.org

Certified Translation

Furnished on the 21st day of March, 2022

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Respectfully,

Salvador G. Ordorica

The Spanish Group LLC

(ATA #267262)



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PER-P-389

Bogotá, D.C., 17 de marzo de 2022.

Ciudadano Luis Gamardo Medina Representante de la empresa Casa Express Corp. Vía correo electrónico.-

Me dirijo a usted, muy atentamente, en mi condición de Procurador Especial de la República Bolivariana, para dar respuesta a su comunicación del 2 de marzo de 2022, en la que nos solicita Carta de No Objeción a la solicitud de Casa Express de una Licencia ante la Oficina de Control de Activos Extranjeros (OFAC) del Departamento del Tesoro de los Estados Unidos, caso número VENEZUELA-EO13850-2021-874564-1.

A esos efectos, la Oficina del Procurador Especial de la República, bajo mi dirección, ha examinado su petición con los correspondientes recaudos en la que expresa que ha registrado la sentencia de la Corte del Distrito Sur de Nueva York y ha presentado una moción ante la Corte del Distrito Sur de la Florida para empezar un procedimiento supletorio en búsqueda de la ejecución de inmuebles que son propiedad, o que están a nombre de sociedades mercantiles controladas por Raúl Gorrín Belisario para la satisfacción con fondos que según la OFAC y la Fiscalía Federal del Sur de la Florida obtuvo a través de sobornos y corrupción. Asimismo, señala usted que ese procedimiento se ejecutará ajustado en un todo a las PAUTAS PARA PROCESAR LAS PROPUESTAS DE ACREEDORES DEL SECTOR PÚBLICO VENEZOLANO PARA DEMANDAR A POSEEDORES DE ACTIVOS OBTENIDOS POR ACTOS DE CORRUPCIÓN, dictada por la Procuraduría Especial y publicadas en la Gaceta Legislativa Nº 57, de fecha 22 de febrero de 2022, e indica que "no ejerceremos actos contra otros bienes de los entes públicos venezolanos para ejecutar la sentencia que obtuvo Casa Express en la Corte del Distrito Sur de Nueva York en la cual ordena pagar la cantidad de \$ 43,3 millones a la República Bolivariana de Venezuela por el impago de dos (2) bonos soberanos". Asimismo, en un acto posterior, usted asumió el compromiso de comunicar esta obligación a la Corte del Distrito Sur de la Florida en la cual cursa la moción para empezar el procedimiento supletorio de ejecución.

En respuesta a su solicitud, esta Procuraduría Especial le manifiesta nuestra disposición de otorgar la Carta de No Objeción solicitada para ser dirigida a la OFAC, en los términos de su petición, la cual se anexa a la presente comunicación.

Atentamente.

21:14:31 +01'00' Enrique J. Sánchez Falcón

Procurador Especial República Bolivariana de Venezuela

Firmado digitalmente por ENRIQUE JOSE SANCHEZ FALCON Fecha: 2022.03.17

EXHIBIT 3



SPECIAL ATTORNEY GENERAL'S OFFICE

Bolivarian Republic of Venezuela

PER-P-388

Bogota, D.C., March 17, 2022.

U.S. Department of Treasury c/o Office of Foreign Assets Control 1500 Pennsylvania Avenue N.W. Freedman's Bank Building Washington, D.C. 20220

Re: Casa Express Corp, as Trustee of Casa Express Trust v. Bolivarian Republic of Venezuela, Case No. 1:21-mc-23103-BB.

We hereby inform you that the Bolivarian Republic of Venezuela, by and through the Office of the Special Attorney General, does not have any objection to Casa Express Corp, as Trustee of Casa Express Trust, obtaining an authorization or license from the Department of the Treasury to execute the judgment that the District Court of the Southern District of New York issued ordering the Bolivarian Republic of Venezuela to pay the amount of \$43,360,535.20, against properties located in the United States of America that were acquired by companies controlled or owned by Raul Gorrin Belisario, who has been identified by OFAC and by the South Florida Prosecutor's Office of having participated in acts of corruption and payment of millionaire bribes to officials in charge of the National Treasury Office of the Bolivarian Republic of Venezuela.

Respectfully,

Digitally signed by ENRIQUE JOSE SANCHEZ FALCON Date: 03.17.2022 21:11:27 +01'00'

[Signature]

Enrique J. Sanchez FalconSpecial Attorney General
Bolivarian Republic of Venezuela



The Spanish Group LLC
1 Park Plaza, Suite 600
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United States of America
https://www.thespanishgroup.org

Certified Translation

Furnished on the 18th day of March, 2022

I, Alexander Largaespada (Merchand), hereby certify that I translated the attached document from Spanish into English or English into Spanish and that this translation is an accurate and faithful translation of the original document. Furthermore, I certify that I am proficient in translating both Spanish and English and that I hold the capacity to render and certify the validity of such a translation. This document has not been translated for a family member, friend, or business associate.

I, Salvador G. Ordorica, as a Quality Assurance Agent of The Spanish Group LLC, hereby attest that the aforementioned translator is a proficient Spanish-English translator. Accordingly, as an authorized representative of The Spanish Group, I certify that this document has been proofread and that the attached document is a faithful and authentic translation of its original.

Respectfully,

Salvador G. Ordorica

The Spanish Group LLC

(ATA #267262)



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PER-P-388

Bogotá, D.C., 17 de marzo de 2022.

U.S. Department of Treasury c/o Office of Foreign Assets Control 1500 Pennsylvania Avenue N.W. Freedman's Bank Building Washington, D.C. 20220

> Re: Casa Express Corp, as Trustee of Casa Express Trust v. Bolivarian Republic of Venezuela, Case No. 1:21-mc-23103-BB.

Por medio de la presente hacemos de su conocimiento que la República Bolivariana de Venezuela, por órgano de esta Procuraduría Especial, no tiene ninguna objeción en que Casa Express Corp, como Trustee de Casa Express Trust, obtenga una autorización o licencia de parte del Departamento del Tesoro para ejecutar la acreencia que una Corte del Distrito Sur de Nueva York condenó a la República Bolivariana de Venezuela al pago de la cantidad de \$43,360,535.20, contra inmuebles ubicados en Los Estados Unidos de América que fueron adquiridos por compañías controladas, o que son propiedad del ciudadano Raúl Gorrín Belisario, quien ha sido identificado por la OFAC y por la Fiscalía del Sur de la Florida de haber participado en actos de corrupción y pago de coimas millonarias a funcionarios encargados de la Oficina Nacional del Tesoro de la República Bolivariana de Venezuela.

Muy respetuosamente,

Firmado digitalmente por **ENRIQUE JOSE** SANCHEZ FALCON Fecha: 2022.03.17 21:11:27 +01'00'

Enrique J. Sánchez Falcón Procurador Especial República Bolivariana de Venezuela